

No. 05-19-00607-CV

PETER BEASLEY,

Appellant,

v.

SOCIETY FOR INFORMATION
MANAGEMENT, ET. AL,

Appellees.

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§

IN THE 5th DISTRICT COURT

FILED IN
5th COURT OF APPEALS
DALLAS, TEXAS

COURT REPORTER
3/31/2020 10:24 PM

LISA MATZ
Clerk

DALLAS, TEXAS

**OPPOSED VERIFIED MOTION TO RECUSE JUSTICE BILL WHITEHALL
TO THE HONORABLE JUSTICES OF SAID COURT:**

NOW COMES, Appellant, Peter Beasley, *pro se*, pursuant to Rule 16.2 of the Rules of Appellate Procedure, and Rules 18a and 18b of the Texas Rules of Civil Procedure, and in support of this Verified Motion to Recuse, states the following:

Grounds for Recusal

1. Pursuant to Rule 18a, as supported by declaration, Plaintiff seeks the recusal of The Honorable Justice Bill Whitehall, by rule, on grounds that a lawyer with whom the judge previously practiced law has been a material witness concerning the proceeding. Tex. R. Civ. P. 18b(b)(4).

Facts Supporting Recusal

2. Peter Vogel, well known in the Dallas legal community, has had a 28-year career, as an attorney at Gardere, Wynn, Sewell LLP, as one of its Partners since 1992, with a 79-page resume. [EXHIBIT D]. Currently, Mr. Vogel is Of Counsel with Foley Gardere.

3. Justice Whitehill, before taking the appellate bench, was an attorney at Gardere Wynn Sewell LLP from 1982 to 2014, for more than 32-years. Justice Whitehill was elected Partner in 1989 and held that position until 2014.

4. Since March 21, 2016, attorney Peter Vogel has been professing to Beasley, and to Dallas and Collin County District courts, to this Court, and to the Texas Supreme Court that he is one the attorney for all of the Appellees. Appellees' counsel Robert Bragalone and Sona Garcia have been making similar representations since April 1, 2016. [EXHIBIT C].

5. The first order entered in this 4 year conflict between the parties was a temporary restraining order issued March 31, 2016, by the 162nd District Court. [Exhibit B]. This restraining order prohibited Appellee SIM-DFW from withholding any privilege of Peter Beasley, as a Director and member of the SIM-DFW Executive Committee, based on his filing of a lawsuit against SIM-DFW.

6. In the trial court below, and in this court, Beasley filed a Rule 12 motion challenging the authority of all of appellee's counsel to defend the lawsuit. In response, attorney Peter Vogel testified as a witness, by declaration, [EXHIBIT A], that he and appellees' other counsel were retained at a meeting of the SIM-DFW Executive Committee on April 4, 2016 – which, IF TRUE, would have been at a time and manner in direct violation of the district court's restraining order. SIM-DFW did not invite Beasley to that meeting, if one in fact actually occurred.

7. In the litigation, SIM-DFW failed to produce minutes or a resolution of the corporation or from its Board of Directors of April 5, 2016, which authorizes any of appellee's counsel to represent SIM-DFW.

8. After receiving Peter Vogel's declaration that he and the other lawyers were legitimate, retained counsel for appellees, the court never allowed Beasley a hearing to present his Rule 12 challenge. Attorney Peter Vogel, along with the other lawyers who claim they represent appellees, filed a motion to declare Peter Beasley a vexatious litigant and secured a dismissal of all of Peter Beasley's claims — the judgment under appeal.

9. In this proceeding, by Issue #16, Beasley appeals,

Whether the trial court abused its discretion from denying a litigant from ever obtaining a hearing to present Rule 12 challenges and disqualification issues against the attorneys who filed a vexatious litigant motion. Appellant's 2nd Amended Brief on the Merits, No. 05-19-00607, November 4, 2019.

10. February 26, 2020, this court assigned Justices Carlyle, Osborne, and Whitehill to hear this appeal on April 26, 2020.

11. Justice Whitehall has thus far taken no action in this appeal.

The Rules for Recusal

12. Appellate procedure provides:

The grounds for recusal of an appellate court justice or judge are the same as those provided in the Rules of Civil Procedure. In addition, a justice or judge must recuse in a proceeding if it presents a material issue which the justice or judge participated in deciding while serving on another court in which the proceeding was pending.

Tex. R. App. P. 16.2

13. Texas Civil procedure provides:

A judge must recuse in any proceeding the judge or a lawyer with whom the judge previously practiced law has been a material witness concerning the proceeding.

Tex. R. Civ. P. 18b(b)(4).

ARGUMENT AND AUTHORITIES

14. Rule 18b's recusal language "is imperative and mandatory, not permissive or discretionary." *Ex parte Thuesen*, 546 S.W.3d 145, 151 (Tex. Crim. App. 2017) (per curiam); *Rogers v. Bradley*, 909 S.W.2d 872, 873 (Tex. 1995). While Justice Whitehall would have no personal knowledge of whether Peter Vogel and his colleagues had the authority to represent their alleged clients, the ***non-permissive***

conflict arises from the 25+ years working together as partners and the special difficulty that fact may or may not present to the tribunal in considering the disputed testimony.

Peter Vogel's Material Disputed Testimony

15. Under the penalty of perjury, attorney Peter Vogel testified on February 27, 2018: [EXHIBIT A].

“In my 40 years of law practice I have never misrepresented any facts or law in any pleading or in Court, nor violated any of the Texas Disciplinary Rules of Professional Conduct, nor have I ever been sanctioned by any Court, nor have I ever been ordered to as disqualified from representing a client.”

“On March 21, 2016 I sent an email to Peter Beasley stating that I represented SIM-DFW, and since that date on behalf of the Defendants I have attended virtually every deposition and hearing in the case in the 162nd District Court.

On April 4, 2016 Gardere Wynne Sewell LLP hosted a meeting of the SIM-DFW Executive Committee members and attorneys Soña Garcia, Dwight Francis, and me, and without revealing any Attorney-Client Privilege, the SIM-DFW Executive agreed that Gardere Wynne Sewell LLP would represent SIM-DFW in the Peter Beasley litigation.

Thereafter on April 5, 2016 on behalf of SIM-DFW Janis O'Bryan signed an Engagement Letter with Gardere Wynne Sewell LLP SIM-DFW regarding Peter Beasley's litigation, and Gardere Wynne Sewell LLP has represented SIM-DFW in Peter litigation since that date, a copy is attached to this Declaration as Exhibit 1.”

Materiality of Peter Vogel's Testimony

16. Proof that Peter Vogel's declaration is untrue – that appellees counsel were never properly retained by SIM-DFW would establish that the underlying judgments were obtained through fraud, and are void. A failure by appellees' counsel to demonstrate their authority to defend the lawsuit would result in a dire, mandatory consequence that all of their pleadings be stricken. *In re Salazar*, 315 S.W.3d 279, 287 (Tex.App.-Fort Worth 2010, orig. proceeding)(mandamus relief granted to order all pleadings stricken of attorneys who failed to show their authority in a Rule 12 challenge). **Such a determination would certainly open Peter Vogel and his co-counsel to financial sanctions, malpractice lawsuits, professional misconduct reviews, and professional ridicule.**

Peter Vogel's puts His Personal History and Credibility at Issue

17. Incredulously, Peter Vogel, to defend his and his colleague's authority as legal counsel, testified to multiple contradictions and to obvious false, exaggerations.

18. Gaudily, Mr. Vogel admits on March 21, 2016, he represented to Peter Beasley that Mr. Vogel represented SIM-DFW, but then he further testified under oath that the representation began April 5, 2016. Mr. Vogel's two statements contradict, and are misrepresentations.

19. Brazenly, Mr. Vogel admits he hosted a meeting of SIM-DFW's Executive Committee in his office on April 4, 2016. The meeting did not include Peter Beasley, a Director and member of the Executive Committee, and Mr. Vogel advising his client to and participating to violate a valid restraining order is a violation of the Texas Disciplinary Rules of Professional Conduct.

20. Mr. Vogel, testified that over his entire 40 year career, which includes over 25 years working as Partners with Justice Whithall, that Mr. Vogel has never lied, misrepresented any fact, nor violated any Texas Disciplinary Rules of Professional Conduct. Mr. Vogel's characterization of his 40 year career – that he has never misrepresented any fact (even by negligence) - is in itself an obvious misrepresentation.

21. What lawyer in 40 years has never misspoke, lied, or misrepresented something? It's like asking what Texas motor driver in 40 years has never sped, rolled through a stop sign or has always used their turn signal when changing lanes? If a lawyer is alive (moving their mouth) for any length of time, like any human, mistakes will certainly happen.

Intertwined Testimony and Material Issue

22. Perhaps, Peter Vogel is the one Texas lawyer or the only natural human who has never told a lie. Justice Whitehall likely has personal knowledge on this

material issue. No one but Peter Vogel caused him to testify the way he did in his declaration. He put his career-long behavior as fair game for impeachment, which career clearly overlaps for more than a quarter-century at Gardere Wynn Sewell with Justice Whitehall.

23. Whether Peter Vogel is telling the truth in his Declaration is material to whether the court committed reversible error in denying Beasley a Rule 12 hearing. Peter Vogel's testimony is on a material issue in this appeal.

24. Mr. Vogel's testimony intertwines with Justice Whitehall's personal knowledge of whether Mr. Vogel has never "misrepresented any facts or law in any pleading or in Court, nor violated any of the Texas Disciplinary Rules of Professional Conduct, nor [] been sanctioned by any Court, nor [] been ordered to as disqualified from representing a client."

25. Justice Whitehall, by the mandatory rule and given their long, long history together as colleagues, should not be put into the position to decide on testimony that may hold that Mr. Vogel represented clients without authority and committed acts of misconduct.

26. Beasley formally seeks the recusal of Justice Bill Whitehall.

27. This motion is filed more than 21 days before submission, and it is not filed for delay.

28. The court of appeals has 13 justices, and this matter can easily be decided by justices other than Justice Whitehall.

PRAYER

29. WHEREFORE, Beasley asks the Clerk of this Court to present the motions to Justice Bill Whitehall for his consideration. If Justice Whitehall does not grant the motion, Beasley requests a determination from the court en banc by majority vote.

Respectfully submitted,

/s/Peter Beasley

Peter Beasley, pro se

P.O. Box 831359

Richardson, TX 75083-1359

(972) 365-1170

pbeasley@netwatchsolutions.com

STATE OF TEXAS §
COUNTY OF DALLAS §

DECLARATION OF PETER BEASLEY

My first, middle, and last name is Peter Morell Beasley, my date of birth is September 20, 1958, and my address is 12915 Fall Manor, Dallas, Texas, 75243, United States. I declare under penalty of perjury that the foregoing statements are true and correct.

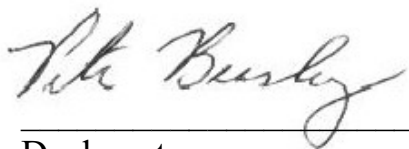
1. My name is Peter Beasley. I am over the age of twenty-one years, of sound mind, have never been convicted of any felony offense and I am fully competent and authorized to make this affidavit. I have personal knowledge of the facts stated herein and in the Motion to Recuse due to my personal involvement in the events and occurrences set forth, or are being made on information and belief.

2. All of the facts stated herein are true.

3. This motion is not for delay and not based solely on the rulings of the court.

4. The attached documents are true copies of the documents they represent.

Executed in Dallas, State of Texas, on the 31st day of March, 2020.

A handwritten signature in cursive script, appearing to read "Peter Beasley", written in dark ink.

Declarant

Certificate of Conference

I held a conference with opposing counsel on this matter and they are opposed.

/s/Peter Beasley
Peter Beasley

Certificate of Service

I hereby certify that on the 31st day of March 2020, a true copy of the foregoing instrument was served on opposing counsel for the defendants by electronic means and the electronic transmissions were reported as complete.

/s/Peter Beasley
Peter Beasley

Exhibit A

CAUSE NO. 296-05741-2017

PETER BEASLEY,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	COLLIN COUNTY, TEXAS
SOCIETY FOR INFORMATION	§	
MANAGEMENT, DALLAS AREA	§	
CHAPTER, JANIS O'BRYAN AND	§	
NELLSON BURNS	§	
	§	296th JUDICIAL DISTRICT
Defendant	§	

DECLARATION OF PETER S. VOGEL

My name is Peter S. Vogel, and office address is 2021 McKinney Ave., Suite 1600, Dallas, Texas 75201. I declare the following statements to be true and correct under the penalty of perjury.

1. "My name is Peter S. Vogel. I am over eighteen (18) years of age, have never been convicted of a crime involving moral turpitude, and am fully competent in all respects to make this Affidavit. The facts stated in this Declaration are within my personal knowledge, true, and correct.

2. I graduated from St. Mary's University School of Law in May, 1976, passed the Texas Bar Examination in October 1976, and was admitted to practice law on November 1, 1976. On July 1, 1978 I began practicing law as a sole practitioner, and on February 6, 1992 I became a partner at Gardere & Wynne LLP which later became Gardere Wynne Sewell LLP.

3. I have been a member of SIM-DFW for 16 years, and have drafted and negotiated agreements on behalf of SIM-DFW and given legal advice to the Board of Directors and Committee Chairs.

EXHIBIT C

4. Peter Beasley sued SIM-DFW on March 17, 2016. On March 20, 2016 I was notified that Peter Beasley had filed suit against SIM-DFW in the 162nd District Court, Dallas County, Texas, Cause No. DC-16-03141, after he informally served his lawsuit by email on Larry Freed and Nellson Burns on March 19, 2016.

5. On March 21, 2016 I sent an email to Peter Beasley stating that I represented SIM-DFW, and since that date on behalf of the Defendants I have attended virtually every deposition and hearing in the case in the 162nd District Court.

6. On April 4, 2016 Gardere Wynne Sewell LLP hosted a meeting of the SIM-DFW Executive Committee members and attorneys Soña Garcia, Dwight Francis, and me, and without revealing any Attorney-Client Privilege, the SIM-DFW Executive agreed that Gardere Wynne Sewell LLP would represent SIM-DFW in the Peter Beasley litigation.

7. Thereafter on April 5, 2016 on behalf of SIM-DFW Janis O'Bryan signed an Engagement Letter with Gardere Wynne Sewell LLP SIM-DFW regarding Peter Beasley's litigation, and Gardere Wynne Sewell LLP has represented SIM-DFW in Peter litigation since that date, a copy is attached to this Declaration as Exhibit 1.

8. I do not believe there is any conflict of interest in my representation of SIM-DFW.

9. In my 40 years of law practice I have never misrepresented any facts or law in any pleading or in Court, nor violated any of the Texas Disciplinary Rules of Professional Conduct, nor have I ever been sanctioned by any Court, nor have I ever been ordered to as disqualified from representing a client.

Dated: February 27, 2018

DocuSigned by:
Peter Vogel
D5BFE83D1148D4A8
Peter S. Vogel

Exhibit B

CAUSE NO. DC-16-03141

Peter Beasley,)	IN THE DISTRICT COURT
)	
Plaintiff,)	
)	
vs.)	
)	DALLAS COUNTY
Society of Information Management,)	
)	
Dallas Area Chapter)	
)	
Defendant.)	162 nd JUDICIAL DISTRICT
)	

PLAINTIFF'S EX PARTE TEMPORARY RESTRAINING ORDER

Plaintiff, Peter Beasley, ("Beasley"), has presented an Ex Parte Application for a Temporary Restraining Order.

The Court FINDS that Defendant SIM Dallas may be retaliating against Beasley for filing this lawsuit. It appears from the facts set forth in Plaintiff's Application for Ex Parte Temporary Restraining Order, the exhibits, sworn affidavits attached thereto, and from testimony and argument, that unless Defendant is immediately restrained from the acts prohibited below, Defendant will commit such acts before notice can be given and a hearing can be held on Beasley's request for a Temporary Injunction. Given the potential of immediate harm to Beasley, the Application for Ex Parte Temporary Restraining Order is GRANTED.

IT IS ORDERED that Defendant, SIM Dallas, will immediately refrain from seeking to expel Beasley from his membership in SIM Dallas on April 4, 2016.

IT IS FURTHER ORDERED that Defendant, SIM Dallas, its agents, servants, contractors, employees, attorneys and any other persons working in active concert or participation with them, shall be restrained from removing, impeding or withholding any Temporary Restraining Order

privilege, right or duty Beasley held within the SIM Dallas corporation when this suit was filed, based on him filing, presenting, seeking to settle, and prosecute this lawsuit.

Plaintiff's request for Expedited Discovery is GRANTED.

IT FURTHER ORDERED that Defendant, SIM Dallas shall provide the documents requested in the March 28, 2016, Expedited Document Discovery to the Plaintiff on April 4, 2016.

The Clerk of this above-entitled Court shall forthwith issue an Ex Parte Temporary Restraining Order in conformity with the law and the terms of this Order, and cite SIM Dallas to appear and show cause.

Plaintiff is directed to post a \$200.- bond. The hearing on Plaintiff's Application for Temporary Injunction is hereby set for the 12th day of April, 2016, at 9:30 o'clock, .M.

29th (En)
SIGNED on March ~~28~~, 2016 at 9:15 2 .M.


JUDGE PRESIDING 2

Exhibit C

Peter Beasley

From: Vogel, Peter <pvogel@gardere.com>
Sent: Monday, March 21, 2016 4:43 PM
To: pbeasley@netwatchsolutions.com
Subject: Meeting on Thursday, March 24 from 8-10am

RE: *Peter Beasley v. Society of Information Management, Dallas Area Chapter*, 162nd District Court, Dallas County Texas, Cause No. DC-16-03141 (the "Lawsuit")

Peter,

The DFW SIM Chapter retained me to represent them in the Lawsuit you filed on March 17, 2016, and I hope you can come to my office to meet with Chapter leadership from 8-10am this Thursday, March 24, 2016 so that we can attempt to resolve the issues in dispute.

Please confirm your availability as soon as practical, thanks.

I am hopeful that we can settle the Lawsuit on Thursday.

Peter

Peter S. Vogel

Partner

t 214.999.4422 f 214.999.3422

3000 Thanksgiving Tower, 1601 Elm Street, Dallas, Texas 75201

GARDERE

AUSTIN | DALLAS | DENVER | HOUSTON | MEXICO CITY

[LinkedIn](#) | [Twitter](#) | [Bio](#) | [vCard](#)

Peter Beasley

From: Bob Bragalone <bbragalone@gordonrees.com>
Sent: Friday, April 1, 2016 12:16 PM
To: 'pbeasley@netwatchsolutions.com'
Cc: Soña Garcia
Subject: Beasley v. SIM

Mr. Beasley –

My firm has been retained to represent the interests of the Society of Information Management, Dallas Area Chapter and Ms. Janis O'Bryan. Because you are acting as your own counsel, I am writing to introduce myself as your opposing counsel and to request that you route all communications regarding the case through me and my colleague, Sona Garcia (copied here). Please note that this includes all communications with our clients, including all Directors and Officers and all members of the local chapter.

We look forward to working with you on this matter.

Regards,

BOB BRAGALONE | PARTNER
GORDON & REES
SCULLY MANSUKHANI

2100 Ross Avenue, Suite 2800
Dallas, TX 75201
D: 214-231-4714 | C: 214-557-2622 | F: 214-461-4053

3D/International Tower
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Houston, TX 77027
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Virginia • Washington • Washington, D.C.
www.gordonrees.com

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GORDON & REES LLP
<http://www.gordonrees.com>

Exhibit D

Peter S. Vogel

Chair, Internet, eCommerce and Technology; Co-Chair, Cybersecurity and Privacy Legal Services, Partner, Litigation

Peter Vogel is renowned as both a trial and transactional lawyer who deeply understands technology, science and intellectual property, and the opportunities and problems they pose for clients. Governments and administrative agencies, as well as major corporations and emerging businesses, rely on Peter to get right to the heart of an information technology or e-discovery dispute; he knows what to expect and how it will play out in the courtroom. This eliminates unproductive rabbit trails and reduces the cost of litigation for all parties. When negotiating agreements for IT implementation projects for ERP or development projects for healthcare and other companies, his knowledge of technology enables his clients and their vendors to reach consensus faster.

CEOs and other C-suite executives consult with Peter on the confluence of technology, business and law. He advises on cybersecurity and identity protection, international privacy laws and global technology disputes, combining complex enterprise systems after a merger or acquisition, and counsels with clients when they are upgrading IT platforms. In every instance, his technical experience, background, and understanding of relationship dynamics streamline the pathway to the right answer and best approach or solution.

Peter is often appointed a Special Master representing the court in IT and eDiscovery disputes. In addition, a court-ordered mediator in eDiscovery and ESI, internet, e-commerce, intellectual property and IT litigation, and has represented numerous states, counties and municipal governments inside Texas and throughout the U.S.

For more than 30 years, Peter has heard dozens of arbitration disputes around the U.S. for the American Arbitration Association.

Clients include:

- Austin Industries
- Bryan Texas Utilities
- CHRISTUS Trinity Mother Francis Hospital
- Chubb Group Insurance
- City of Carrollton, Texas
- City of Huntsville, Texas
- Collin County, Texas
- CompSource Oklahoma
- Darling Ingredients
- Essilor of America
- Goldman Sachs & Co.
- Harman AMX
- Health Language, Inc.
- JDA Software Group
- John M. Floyd & Associates Inc.



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Dallas

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t 214.999.3000
f 214.999.4667

Industries

Cybersecurity and Privacy
Legal Services
Health Care
Health Care Information and
Privacy Act (HIPPA)
Health Care Regulatory
Compliance
Health Policy and Legislation
Internet, eCommerce and
Technology
Transactions and Financing

Practices

Advertising, Marketing and
Promotions
Alternative Dispute
Resolution
Commercial Litigation
Committee on Foreign
Investment in the United
States
Corporate
Cross-Border Transactions
Government Affairs
Government Contracts
Intellectual Property
International
Litigation

Education

M.S., American University
(1972)

- Marco's Pizza
- Morison Supply Company
- NCS Pearson Inc.
- Noodle Education
- Noosa Yoghurt
- Oklahoma Municipal Assurance
- One Safe Place Media
- Pedernales Electric Coop
- RealPage, Inc.
- Santander Consumer USA
- Steel Technologies, Inc.
- Teacher Retirement System of Texas
- Texas Department of information Resources
- Texas Department of Motor Vehicles
- Texas Health Resources
- The Princeton Review
- W.C. Bradley, Inc.
- Wichita County, Texas

- Computer Science

J.D., St. Mary's University
School of Law (1976)

B.B.A., The University of
Texas at Austin (1969)

Experience

Litigation and Contract Negotiations

- Served as a federal court-appointed receiver to operate and manage a portfolio of foreign and domestic companies with assets including approximately 150,000 internet domain names
- Represented Oklahoma's largest provider of workers compensation insurance in dispute about a software development project
- Represented a third-party defendant against claims of alleged infringement of copyrighted architectural drawings; See *Shelby Shelton Inc. v. Franz Jeanes Lazo Cora and Assoc. Inc.*, 4:09-CV-437 (N.D. Texas)
- Represented the Teacher Retirement System of Texas in negotiating replacement of Legacy Computer Software System
- Defended JDA Software in a federal lawsuit regarding an alleged failed website development project for front-end and back-end processing
- Represented Collin County in an alleged failed ERP software against Sungard
- Represented a software provider in a contract dispute with a financial services provider involving claims of breach of joint marketing and promotion agreement
- Represented the owner of software for sewing machine patterns in dispute with software distributor
- Represented an online advertising agency specializing in pay-for-performance search engine marketing involving claims for defamation, tortious interference and unfair competition
- Successfully defended client in jury trial against breach of contract and conversion claims asserted by computer services company
- Advised health care providers and group health plans in HIPAA compliance
- Represented international luxury hotel brand in cross-border disputes

- Global representation of an expanding ultra-luxury hotel brand
- Represented File & ServeXpress Holdings, LLC, a private equity-sponsored provider of e-filing and e-service solutions, in its acquisition of CaseFileXpress and the File & Serve division of Reed Elsevier Inc., the parent company of LexisNexis
- Represented private equity-backed Health Language Inc., a medical terminology software company, in its sale to an affiliate of Wolters Kluwer Health Inc., a subsidiary of Wolters Kluwer N.V.
- Advised health plan third party administrator
- Represented restaurant technology company in loan and/or equipment lease financings with multiple lenders for the deployment of tabletop devices in Chili's, Uno and Olive Garden restaurants nationwide

Arbitration Dispute Examples

- Alleged breach of App hosting service agreement by international technology company based in the EU
- Alleged breach of implementation of Oracle ERP system by international manufacturer
- Alleged breach of software development for national train enterprise and counterclaim of fraudulent inducement
- Alleged breach of software development agreement for internet based gaming company, and counterclaim for fraud
- Alleged patent infringement under an international Patent License, including a Markman Hearing
- Alleged violation of international based internet Service Provider agreement as to the Intellectual Property ownership
- Alleged patent infringement for manufacture of paintball guns, including a Markman Hearing
- Alleged breach of outsourcing IT services agreement for more than 100 U.S. hospitals
- Alleged breach of contract for a failed patent monitoring device used to monitor gas tank levels in service stations
- Alleged breach of automobile dealer software license for failure to properly manage dealership
- Alleged theft of trade secrets by U.S. government contractor for remote monitoring of military vehicles
- Alleged copyright infringement of website content of travel blogs
- Alleged breach of subcontract of a software development agreement for international oil company and related spoliation of key evidence
- Alleged failed software implementation agreement for national healthcare provider
- Alleged breach of implementation of Oracle ERP system because of too many customizations

Professional & Community

Professional Affiliations

- Founding Chair, Texas Supreme Court Judicial Committee on

Information Technology (mission is to automate the Courts and establish eFiling in Texas)

- Member, State Bar of Texas
 - Founding Chair, Computer & Technology Section
 - Former Board Member
 - Former Chair, Minimum Continuing Legal Education Committee
 - Former Chair, Annual Practical Computer Seminars
- Member, Dallas Bar Association
 - Former President
- Member, Dallas Bar Foundation
 - Former Chair, Board of Trustees
- Adjunct Professor, Law of the Internet/eCommerce and eDiscovery, SMU Dedman School of Law
- Board Member, Academy of Court Appointed Masters
- Board Member, Silicon Valley Arbitration & Mediation Center

Honors & Awards

- Recognized, The Best Lawyers® in America (Steven Naifeh & Gregory White Smith eds., Woodward/White Inc.)
 - Information Technology Law (2008-2018)
 - Communications Law (2006-2016)
 - Technology Law (2017-2018)
- Recognized, Chambers USA: America's Leading Lawyers for Business (Tom Wicker ed., Chambers & Partners)
 - Technology: Corporate & Commercial (Texas) (2010-2017)
 - Technology & IT Outsourcing (2004-2007)
- Recognized, Texas Super Lawyers®, a Thomson Reuters business, as published in Texas Super Lawyers Magazine
 - Intellectual Property Litigation (2005-2017)
- Recognized, Best Lawyers in Dallas, D Magazine
 - Digital Information Law (2014, 2016)
 - Digital Information and Technology (2017)
- Recipient, Critical Issues Summit Group Award, Association of CLE Administrators (2015)
- Recognized, The Legal 500 United States
 - Media, Technology and Telecoms - Technology: Transactions (2011, 2012)
- Recognized, AV® Preeminent™ 5.0 out of 5 Peer Review Rated, Martindale-Hubbell® PEER REVIEW RATINGS™
- Recognized, Lifetime Achievement Award in Promoting Technology in Law, State Bar of Texas Computer & Technology Section

Community Involvement

- Board Member and Attorney, Texas Speech-Language Foundation
- Board Advisor, Northlake-Hillcrest Crime Watch
- Former Board Member, Family Gateway

Admissions

- Texas (1976)
- Texas State Courts (1976)
- U.S. District Court for the Eastern, Northern, Southern and Western Districts of Texas
- Texas Fifth Court of Appeals (1978)
- U.S. Supreme Court (1980)

Sponsored Events

- 02.05.15
Gardere to Host CLE on Cyber Intrusions

Speaking Engagements

- Information Security and Innovation – How Can We Have Both?
2017 Dallas CIO Executive Leadership Summit
- 11.09.17
Legal Ethics Challenges in the World of Health Care Cyber Threats:
Law, Technology and Professional Responsibility for Health Care
Lawyers
UT Law CLE
- 09.25.17
Breach Response: How to Use Outside Counsel to Protect Sensitive
Information
2017 (ISC)2 Security Congress Conference
- 09.14.17
How to Mitigate eDiscovery Risk from Social Communications
Inside Counsel Webcast
- 06.23.17
Keep Investigations About Cyber Intrusions Confidential and
Reporting Cyber Intrusions in the US and Around the World
State Bar of Texas Paralegal Division Annual Meeting
- 06.20.17
Blockchain Legal Risks
Dallas Bar Association's Blockchain Law Study Group CLE
- 06.13.17
Legal & Ethical Issues With Blockchain (Including Privacy Tax and
Regulatory)
TexasBarCLE Webcast
- 05.15.17
Ethical and Legal Advice for CPAs About E-Commerce and Cyber
Intrusions
Fraud and Enterprise Risk Conference
- 05.11.17
What You Need to Know About Cybersecurity (Think-IT and the
Cloud)
Directors Group
- 05.04.17
Legal Ethics in the Internet Age, Including Cyber Threats

- Dallas Bar Association Ethics Fest
- 03.16.17
Client Advice to Help Reduce Cyber Risk
Southern Law Network Meeting
- 02.22.17
The Challenge of Enterprise Security Today and Into the Future
2017 Houston CIO Executive Leadership Summit
- 02.03.17
Legal Ethics in Helping Clients Do Business on the Internet in the
Midst of Cyber Turmoil
Dallas Bar Association Friday Clinic
- 01.25.17
2017 Update to Help Clients Do Business on the Internet
TexasBarCLE Webcast
- 01.17.17
Cyber Risk to Clients (and Lawyers): Data Stored on the Cloud
Storage Around the World
Dallas Bar Association Meeting
- 11.29.16
Legal Risks for Cyber Intrusions of Healthcare
Lorman Education Services Webinar
- 11.17.16
Legal Risks & Potential Pitfalls of the Cloud
Gateway 2 CyberCity Emerging Trends Symposium
- 11.09.16
Global Trends in Data Privacy and Payroll
Celergo Thought Leadership Lunch
- 11.06.16
How to Keep Cyber Investigations Confidential
2016 SoCal Cybersecurity, Privacy & Data Protection Retreat
- 09.16.16
Internet Privacy and Cybersecurity in 2016
AAA-CPA South Texas Chapter Meeting
- 08.25.16
Cyber Risk for Clients and Lawyers
TexasBarCLE
- 08.18.16
Internet Privacy and Cybersecurity in 2016
North Texas Chapter of the American Academy of Attorney-CPAs
Meeting
- 07.29.16
Legal Ethics to Help Clients (and Law Firms) Deal with
Cyberattacks
Dallas Bar Association
- 07.27.16
Ethics and Honesty in IP and IT
AITP Dallas Chapter Meeting
- 06.13.16
Responding to Data Breaches to Minimize Impact
Legaltech West Coast Conference
- 05.12.16
eDiscovery 2015 Federal Rule Changes

TexasBarCLE

- 05.02.16
The Biggest Cloud Security Challenges of 2016: Maintaining Security After a Cloud Implementation
Private Sector CISO
- 04.14.16
Ethical Issues for Lawyers on Internet including Social Media and the Cloud
DALL Institute
- 04.05.16
The Challenge of Enterprise Security Today and Into the Future
2016 Dallas CIO Executive Leadership Summit
- 04.01.16
Use of Special Masters for E-Discovery Disputes in Both Civil and Criminal Cases
2016 ACAM Annual Meeting
- 03.02.16
The Challenge of Enterprise Security Today and Into the Future
2016 Houston CIO Executive Leadership Summit
- 02.08.16
Cybersecurity and Privacy Impacts to your Workforce - Risks to, and by, your Employees
Houston Bar Association's Labor and Employment Law Section Meeting
- 01.20.16
2016 eCommerce Update
TexasBarCLE
- 12.15.15
Update on December 2015 Federal Rules Changes and e-Neutrals
TexasBarCLE
- 11.17.15
What Every Lawyer Needs to Know About Cybercrime
TexasBarCLE
- 10.27.15
Ethical Issues Regarding Cyber Security
Dallas CPA Society Member Appreciation CPE Series
- 10.26.15
Ethical Issues for Lawyers with Social Media and the Cloud
Dallas Bar Association's Computer Law Section Meeting
- 09.24.15
Arbitrating in a Digital World: Fair and Expeditious Management of Electronic Discovery
ACESIN's 2015 Training
- 08.20.15
Using Information Rights Management for Secure Collaboration in the Legal Industry
ALM Webinar
- 04.28.15
What Lawyers Need to Know About eEvidence in the Internet of Things
TexasBarCLE
- 04.24.15

The Future of Legal Education: Preparing Law Students to Be Great Lawyers
93rd Annual Oregon Law Review Symposium

- 04.16.15
Getting eEvidence Admitted
TexasBarCLE 28th Annual Advanced Evidence and Discovery Course
- 04.16.15
Lunch with the Masters - Five Things to Do and Five Things Not to Do at Trial
TexasBarCLE 28th Annual Advanced Evidence and Discovery Course
- 03.19.15
Ethical Concerns for General Counsel When You and Your Company Find a Cyber Intrusion
Dallas Bar Association's Corporate Counsel Section Meeting
- 03.04.15
Legal Ethics for General Counsel and Trial Lawyers in eDiscovery
MCLE Event
- 02.18.15
Ethics in an Age of Cyber Intrusions and Social Media
TexasBarCLE
- 02.03.15
Cyberintrusions - Ethical Consideration for Lawyers to Protect Attorney-Client Privilege, Confidentiality from the Latest Internet Threats
LegalTech New York
- 01.15.15
Ethics for Lawyers with the Internet of Things (IoT: Those Billions of Devices Interconnected by the Internet)
TexasBarCLE
- 01.08.15
Internet Law 102
Dallas Chapter Institute of Internal Auditors and NT-ISACA Joint Meeting
- 01.07.15
2015 Update to Help Clients Do Business on the Internet
TexasBarCLE
- 12.16.14
Ethics in an Age of Cyber Intrusions and Social Media
TexasBarCLE
- 11.12.14
Ethics for Lawyers with the Internet of Things (IoT: Those Billions of Devices Interconnected by the Internet)
TexasBarCLE
- 10.23.14
Ethical Concerns about Cybersecurity for Lawyers
38th Annual Page Keeton Civil Litigation Conference
- 10.14.14
Peter Vogel to Speak at the Cornell Hospitality Research Summit Conference
- 09.24.14

Legal and Ethical Risks of Internet Cloud Services for In-House Counsel

Texas Lawyer's Technology Summit

- 07.17.14
eDiscovery Cost Control by Using Defensible Deletion
eSolutions Webinar
- 06.30.14
What Using The Cloud Does to Attorney-Client Privilege
TexasBarCLE
- 06.22.14
Net Neutrality: What is It and Why Should I Care?
McCuiston Television Program
- 05.14.14
Hacked! Ethical Issues for Lawyers in the Cyber World
General Counsel Forum
- 05.14.14
The Net Neutrality Debate
McCuiston Television Program
- 05.07.14
The Impact of Social Media on Evidence: What Arbitrators Need to Know
American Arbitration Association Webcast
- 04.16.14
Cyber Security Threats to Law Firms and Related Ethics Problems
TexasBarCLE
- 04.16.14
Cyber Security Threats to Law Firms and Related Ethics Problems
TexasBarCLE
- 03.28.14
eDiscovery – Technical Jargon
TexasBarCLE
- 03.27.14
Safeguarding Attorney-Client Privilege in Electronic Transmissions and the Cloud
Virtual Corporate Counsel Forum
- 03.13.14
Legal Ethics: Using Social Media and the Cloud
Virtual Legal Technology Event
- 01.28.14
Saving Time and Money with eMediation and Special Masters
TexasBarCLE
- 01.14.14
2014 Update on Internet Contract Issues
TexasBarCLE
- 12.10.13
Saving Time and Money with eMediation and Special Masters
TexasBarCLE
- 10.22.13
Ethics Considering Use of Social Media and Impact on eDiscovery
6th Annual IP Trademark, Copyright & Licensing Counsel Forum
- 10.16.13
The IT Factor in the M&A Process

CEO Netweavers Technology Group Meeting

- 10.11.13
eDiscovery/Document Retention & Ethics
Texas Association of Bank Counsel - 37th Annual Convention
- 09.26.13
Ethics for Lawyers in a World of the Internet, Social Media and e-Evidence
ALM Virtual LegalTech
- 08.27.13
Ethical Considerations for Lawyers Using Cloud Computing
TexasBarCLE
- 07.09.13
Legal and Ethical Issues for Email and Social Media Communications
TexasBarCLE
- 04.18.13
Privacy - Social Media, Internet & BYOD
Virtual Corporate Counsel Forum
- 10.18.12
The Risks of BYOD and What You Can Do About Them
Virtual Corporate Counsel Forum
- 09.19.12
eDiscovery/Document Retention and Social Media Issues
Gardere Litigation Toolbox
- 08.07.12
BYOD (Bring Your Own Device): Who owns the email? Intellectual Property?
Capital Chapter of the International Association of Administration Professionals
- 05.17.12
BYOD - Consumerization of IT & Policy Management
2012 Innotech Dallas
- 04.04.12
Internet & Social Media Privacy Laws
TexasBarCLE
- 03.14.12
Today's Lawyers and Social Media - How Are They or Should They Be Using It?
Legal Marketing Association Annual Conference
- 01.17.12
2012 Update on Internet Contract Issues
TexasBarCLE
- 09.20.11
Improved Legal Services for Your Clients Using Social Media and Internet Tools
TexasBarCLE
- 08.31.11
The Impact of Information Technology, the Internet and Social Media on the Courts
Supreme Court of Texas

Webinars / Podcasts

- 09.26.17
The Legal Risks of Hospitality Industry Cyber Threats
Gardere Webinar
- 08.30.17
Blockchain Technology: Facts You'll Need to Know
WatchIT Podcast
- 06.07.2017
Stored Communications Act: Who Owns Your Emails?
Gardere Webinar
- 04.26.17
Blockchain Legal Risks
Gardere Webinar
- 03.29.17
Preparing for the Inevitable Cyber Intrusion With an Incident Response Plan
Gardere Webinar
- 04.28.16
Data Breach: Not If, But When
Gardere Webinar
- 04.13.16
Cybersecurity for Hotels
Gardere Webinar
- 07.28.14
eDiscovery Cost Control by Using Defensible Deletion
Gardere Webinar
- 03.11.14
Legal Risks for Cyber Attacks Against Hotel Data
Gardere Webinar
- 03.02.13
Protecting Your Business: From Social Media to Cyber Threats
WatchIT Podcast
- 08.29.12
eDiscovery Issues in Labor and Employment Disputes
Gardere Webinar
- 08.07.12
BYOD (Bring Your Own Device): Who Owns the Email? Intellectual Property?
Gardere Webinar
- 02.11.11
'Drive Me Crazy' iPhone App
CBS 11 Podcast
- 12.30.10
Medical Records Going Digital
KDFW Fox 4 Podcast
- 12.28.10
Email Snooping
KDFW Fox 4 Podcast
- 12.15.10
Protecting Your Web Accounts

CNN Podcast

Blogs

- 11.06.17
Think twice before relying on search engine results since they may have MALWARE links!
Internet, Information Technology & e-Discovery Blog
- 10.29.17
Watch out!! "Mobile Messaging Apps" are the new home for the Dark Web!
Internet, Information Technology & e-Discovery Blog
- 10.24.17
Over 1 billion views of RT (Russian News channel) on YouTube since 2013!
Internet, Information Technology & e-Discovery Blog
- 10.20.17
New law may require Google and Facebook to disclose political advertising
Internet, Information Technology & e-Discovery Blog
- 10.17.17
Supreme Court will consider a 1986 law about phone records and how it applies to emails in 2017 outside the US
Internet, Information Technology & e-Discovery Blog
- 10.13.17
Did Facebook delete Russian bought ads because of a bug?
Internet, Information Technology & e-Discovery Blog
- 10.09.17
Google confesses that Russia bought Google Search and YouTube ads to influence the 2016 election!
Internet, Information Technology & e-Discovery Blog
- 10.06.17
Do you trust Equifax? Apparently IRS believes a new \$7.25 million contract with Equifax is a good idea!
Internet, Information Technology & e-Discovery Blog
- 10.03.17
Surprised? Equifax learned about its cyber exposure in March, but failed to do anything!
Internet, Information Technology & e-Discovery Blog
- 09.29.17
GUEST BLOG: Will cyber disasters finally be the reason that IT folks learn to speak English rather than Geek Talk (think Technology)?
Internet, Information Technology & e-Discovery Blog
- 09.26.17
Poor cyber security equals +1.9 billion records exposed in the first 6 months of 2017!
Internet, Information Technology & e-Discovery Blog
- 09.21.17
GUEST BLOG: Are you surprised to hear that Equifax's security chief doesn't have a degree in technology, rather majored in music?
Internet, Information Technology & e-Discovery Blog

- 09.19.17
Oops! Malware distributed with antivirus software to more than 2.27 million users!
Internet, Information Technology & e-Discovery Blog
- 09.15.17
GUEST BLOG: Neither Rain, nor Sleet, nor Dark of Night Shall Stay the Application of HIPAA Regulations...
Internet, Information Technology & e-Discovery Blog
- 09.12.17
Judge Posner who relied on Wikipedia retires at 78
Internet, Information Technology & e-Discovery Blog
- 09.08.17
Equifax confessed that it failed to protect personal data of 143+MILLION CUSTOMERS!
Internet, Information Technology & e-Discovery Blog
- 09.04.17
Yahoo loses a court battle and a class action will proceed for massive cyber breaches in 2013-16!
Internet, Information Technology & e-Discovery Blog
- 08.31.17
Google spent \$19 million lobbying last year, is that good or bad?
Internet, Information Technology & e-Discovery Blog
- 08.29.17
Less than 50% US businesses have cyber insurance, so what can they do to avoid a cyber disasters?
Internet, Information Technology & e-Discovery Blog
- 08.25.17
Gates gives cellphone advice to help avoid the destruction of a generation!
Internet, Information Technology & e-Discovery Blog
- 08.21.17
Watch out! 'Fancy Bear' may be ready to steal your data while using hotel wifi!
Internet, Information Technology & e-Discovery Blog
- 08.18.17
Here's a good idea - don't agree to cloud Click Agreements because the cloud is such a huge target for cybercriminals!
Internet, Information Technology & e-Discovery Blog
- 08.15.17
No cyber insurance coverage for \$800,000 loss for spearphishing (aka BEC -Business Email Compromise)!
Internet, Information Technology & e-Discovery Blog
- 08.11.17
GUEST BLOG: Is your business at risk for not knowing about the liability limits under the 911 Cybersecurity Laws (Safety Act)?
Internet, Information Technology & e-Discovery Blog
- 08.08.17
US Cyber insurance market exceeds \$2.49 Billion!
Internet, Information Technology & e-Discovery Blog
- 08.04.17
Two-factor authentication may avoid disasters since there are more than 1+ billion compromised usernames and passwords!

Internet, Information Technology & e-Discovery Blog

- 07.31.17
Blockchain vs. the SEC - ICO (Initial Coin Offering) are securities!
Internet, Information Technology & e-Discovery Blog
- 07.28.17
Guess what? There will be increased cyber problems in 2017 including Ransomware, Malware, and IoT!
Internet, Information Technology & e-Discovery Blog
- 07.25.17
Do you trust China to be the world leader in AI (Artificial Intelligence)?
Internet, Information Technology & e-Discovery Blog
- 07.21.17
FTC to the rescue with Cybersecurity roundtables for small businesses!
Internet, Information Technology & e-Discovery Blog
- 07.18.17
Will IBM's recommendation to encrypt the universe provide better cyber protection, or just profits for IBM?
Internet, Information Technology & e-Discovery Blog
- 07.14.17
Cyber intrusions reporting will ramp up around the world in 2018 under GDPR (think EU Privacy Laws)!
Internet, Information Technology & e-Discovery Blog
- 07.11.17
Sales of Cyber insurance policies grow by 400% after ransomware attacks- soon to be as common as fire insurance!
Internet, Information Technology & e-Discovery Blog
- 07.07.17
10 Questions you should ask about SLAs (Service Level Agreements) -which aren't really Agreements!
Internet, Information Technology & e-Discovery Blog
- 07.05.17
Cyber insurance premiums grew 35% in 2016 -over \$1.3 Billion!
Internet, Information Technology & e-Discovery Blog
- 06.30.17
Google fined \$2.7 BILLION!
Internet, Information Technology & e-Discovery Blog
- 06.26.17
Anthem agrees to pay \$115 million for 2015 cyber intrusion to settle litigation!
Internet, Information Technology & e-Discovery Blog
- 06.23.17
Honda plant halted operations because of WannaCry Ransomware!
Internet, Information Technology & e-Discovery Blog
- 06.20.17
7 Flavors of CyberCrimeware as a Service (CaaS) includes Ransomware as a Service (RaaS)!
Internet, Information Technology & e-Discovery Blog
- 06.15.17
IBM Blockchain & AIG team up for "Smart Insurance"
Internet, Information Technology & e-Discovery Blog

- 06.13.17
GUEST BLOG: Pacemakers (Think IoT) are not Cybersecure, does that bother you?
Internet, Information Technology & e-Discovery Blog
- 06.09.17
No surprise about cyber risks in V2V (Vehicle to Vehicle) - Think "Driverless Cars"!
Internet, Information Technology & e-Discovery Blog
- 06.06.17
Cyber criminal's phishing leads to 4+ years in prison for stealing airline tickets, which employee training could have avoided!
Internet, Information Technology & e-Discovery Blog
- 06.02.17
Cyber attack probably caused BA to strand 75,000 passengers, but BA claims it just lost electricity! Haha!
Internet, Information Technology & e-Discovery Blog
- 05.30.17
Facebook lied to the EU about privacy & will pay a \$122 million fine!
Internet, Information Technology & e-Discovery Blog
- 05.26.17
Cyber breach costs Target more than \$220 million!
Internet, Information Technology & e-Discovery Blog
- 05.23.17
Does Apple Pay infringe any patents?
Internet, Information Technology & e-Discovery Blog
- 05.19.17
Get Ready for Artificial Intelligence (AI) in the middle of Blockchain!
Internet, Information Technology & e-Discovery Blog
- 05.17.17
Googlification: Google has taken over US schools and as a result - the next generation!
Internet, Information Technology & e-Discovery Blog
- 05.12.17
Private Blockchains may not be secure!
Internet, Information Technology & e-Discovery Blog
- 05.09.17
GUEST BLOG: Attorney Client Privilege Lost in the Cloud!
Internet, Information Technology & e-Discovery Blog
- 05.05.17
Arizona passes a law recognizing that Blockchain is secure!
Internet, Information Technology & e-Discovery Blog
- 05.02.17
WEBINAR VIDEO: Blockchain Legal Risks
Internet, Information Technology & e-Discovery Blog
- 04.28.17
4 ways to stop Spearphishing (aka Business Email Compromise "BEC") which has cost more than \$2.3+ billion!
Internet, Information Technology & e-Discovery Blog
- 04.25.17
IoT Privacy Lawsuit- Bose sued for taking headphone data without

- consent!
Internet, Information Technology & e-Discovery Blog
- 04.20.17
GUEST BLOG: Do you know which 2 states don't have data breach notification laws?
Internet, Information Technology & e-Discovery Blog
 - 04.18.17
Do you believe China's new cyber laws are for real?
Internet, Information Technology & e-Discovery Blog
 - 04.14.17
Everything on the Dark Web is not illegal, only half!
Internet, Information Technology & e-Discovery Blog
 - 04.11.17
GUEST BLOG: It's time to wake up and figure out how GDPR affects you!
Internet, Information Technology & e-Discovery Blog
 - 04.06.17
HIPAA data risk in IoTs among 10 security risks with Wearables
Internet, Information Technology & e-Discovery Blog
 - 04.03.17
Net Neutrality in jeopardy one more time!
Internet, Information Technology & e-Discovery Blog
 - 03.31.17
IBM Watson using Blockchain to protect Electronic Medical Records (EMRs)!
Internet, Information Technology & e-Discovery Blog
 - 03.28.17
Cybercriminals demand ransomware from Apple, or else they will wipe 300 million iPhones!
Internet, Information Technology & e-Discovery Blog
 - 03.24.17
Blockchain is what makes Bitcoin work, and is the real deal to change the world!
Internet, Information Technology & e-Discovery Blog
 - 03.21.17
Electronic Health Record (EHR) databases worth \$500,000 to cybercriminals!
Internet, Information Technology & e-Discovery Blog
 - 03.16.17
Spearphishing by the Russian Federal Security Service (FSB) was part of Yahoo cyber attack!
Internet, Information Technology & e-Discovery Blog
 - 03.14.17
GUEST BLOG: Just what no one wants to hear - new insecurities are found on private cloud devices!
Internet, Information Technology & e-Discovery Blog
 - 03.10.17
Consumer protection & privacy paramount at the FTC Forum on Artificial Intelligence (AI) and Blockchain
Internet, Information Technology & e-Discovery Blog
 - 03.08.17
Is Uber's Greyball a VTOS (Violation of Terms Of Service) or

Deception?

Internet, Information Technology & e-Discovery Blog

- 03.03.17
Was there a Cyber intrusion on the Amazon Cloud, or did one keystroke cause the outage?
Internet, Information Technology & e-Discovery Blog
- 02.28.17
10 Recommendations to reduce cyber risk in the cloud, including being mindful of the law of where the data is hosted
Internet, Information Technology & e-Discovery Blog
- 02.24.17
I CHALLENGE YOU to find life on 7 planets using Big Data and Artificial Intelligence that are 40 light years away!
Internet, Information Technology & e-Discovery Blog
- 02.21.17
Starting March 1st NY Cybersecurity Regulation requires Incident Response Plans (IRP)!
Internet, Information Technology & e-Discovery Blog
- 02.17.17
GUEST BLOG: Great idea - Develop a Ransomware Defense Plan to avoid Cyber disasters!
Internet, Information Technology & e-Discovery Blog
- 02.15.17
GUEST BLOG: User training is the best way to protect against Cyber Phishing, is that so hard to understand?
Internet, Information Technology & e-Discovery Blog
- 02.10.17
D-Link opposes the FTC lawsuit that its routers and baby cameras are exposed to cyberattacks!
Internet, Information Technology & e-Discovery Blog
- 02.07.17
Wow! Uber fined \$20 Million and confesses it exaggerated potential drivers' earnings!
Internet, Information Technology & e-Discovery Blog
- 02.03.17
\$3.2 million HIPAA fine for violations since 2006!
Internet, Information Technology & e-Discovery Blog
- 01.31.17
Eliminating Net Neutrality likely to raise the cost of using the Internet!
Internet, Information Technology & e-Discovery Blog
- 01.27.17
GUEST BLOG: Wanna keep up with pending Cyber legislation?
Internet, Information Technology & e-Discovery Blog
- 01.24.17
Uber will likely get smarter since they hired Google's former head of search!
Internet, Information Technology & e-Discovery Blog
- 01.20.17
Do you want China to control cyber and IT news? Think about this - China Oceanwide is acquiring news media giant IDG
Internet, Information Technology & e-Discovery Blog

- 01.16.17
FTC sues IoT manufacturer for failure to secure devices from cyberattacks!
Internet, Information Technology & e-Discovery Blog
- 01.13.17
Cyber challenge to secure IoT home devices
Internet, Information Technology & e-Discovery Blog
- 01.10.17
New email law which gives employees an after hour a 'right to disconnect' - good or bad idea?
Internet, Information Technology & e-Discovery Blog
- 01.06.17
BIG SURPRISE! - Fraud and identity theft a real problem for online dating sites!
Internet, Information Technology & e-Discovery Blog
- 01.03.17
Privacy Laws will likely cause conflicts with Big Data in 2017
Internet, Information Technology & e-Discovery Blog
- 12.29.16
Cybersecurity Report Card for 2016: Overall "C-" but bad news since the Cloud gets a "D-" and Mobile gets an "F"!
Internet, Information Technology & e-Discovery Blog
- 12.27.16
CYBER & TECHNOLOGY Ups and Downs in 2016 - Encryption a Big Success, but Fake News a Big Failure
Internet, Information Technology & e-Discovery Blog
- 12.22.16
Another Cyberattack at Southwest Airlines?
Internet, Information Technology & e-Discovery Blog
- 12.19.16
GUEST BLOG: In the wake of Yahoo's CONFESSION it's time for you learn about 2-factor authentication!
Internet, Information Technology & e-Discovery Blog
- 12.16.16
Take a minute and read Yahoo's 238 word CONFESSION about the Cyber theft of 1+ billion user accounts!
Internet, Information Technology & e-Discovery Blog
- 12.13.16
Companies without Incident Response Plans (IRPs) may not be able to get Cyber Insurance!
Internet, Information Technology & e-Discovery Blog
- 12.08.16
GUEST BLOG: Presidential Commission Report Highlights Cybersecurity Risks for lawyers!
Internet, Information Technology & e-Discovery Blog
- 12.06.16
Cyber Legal Risks to Most Businesses since 55% of Senior Management Delegates Compliance
Internet, Information Technology & e-Discovery Blog
- 12.02.16
GUEST BLOG: Watch Out for Cyber Threats while Shopping during the Holidays (THINK WIFI)!

Internet, Information Technology & e-Discovery Blog

- 11.29.16
Healthcare is the biggest target for Cyberattacks in 2017!
Internet, Information Technology & e-Discovery Blog
- 11.25.16
Cyber criminals will target IoT since by 2020 92% of all data will be in the cloud!
Internet, Information Technology & e-Discovery Blog
- 11.22.16
Guess what? Cyber threats are directed at ATMs!
Internet, Information Technology & e-Discovery Blog
- 11.18.16
About 75% of companies don't have adequate Cyber Security Incident Response Plans (IRPs), so how Cyber Resilient is your Company? Or Law Firm?
Internet, Information Technology & e-Discovery Blog
- 11.15.16
Artificial Intelligence (think IBM's Watson) now directed to cybersecurity
Internet, Information Technology & e-Discovery Blog
- 11.11.16
GIGO (Garbage In Garbage Out) - all Big Data is not Good Data!
Internet, Information Technology & e-Discovery Blog
- 11.07.16
Hacker gets 45 months in jail for stealing encrypted personal data & launching cyber attacks
Internet, Information Technology & e-Discovery Blog
- 11.04.16
The Cyber Underground and what you need to know about the DarkNet Marketplaces
Internet, Information Technology & e-Discovery Blog
- 11.01.16
Are the EU antitrust cases against Google really just Russian roulette?
Internet, Information Technology & e-Discovery Blog
- 10.28.16
BUSINESS ALERT: Cyberattacks are directed at ERP systems since they are difficult to secure
Internet, Information Technology & e-Discovery Blog
- 10.24.16
BLACK HAT SURVEY: Employee Training is in the top 5 ways to avoid hacking!
Internet, Information Technology & e-Discovery Blog
- 10.21.16
New Cyber rules for DOD contractors may be creating new problems!
Internet, Information Technology & e-Discovery Blog
- 10.18.16
VIDEO: How does the EU Privacy Shield impact privacy for non-PII data or PCI?
Internet, Information Technology & e-Discovery Blog
- 10.13.16

Can the G7 really protect the financial world from cybercrime?
Internet, Information Technology & e-Discovery Blog

- 10.11.16
Help make this Blog the top CYBER and PRIVACY Legal Blog!
Internet, Information Technology & e-Discovery Blog
- 10.07.16
"Top Secret" Electronic Records Stolen by NSA Cybersecurity Contractor!
Internet, Information Technology & e-Discovery Blog
- 09.30.16
Antitrust challenge of Microsoft's acquisition of LinkedIn!
Internet, Information Technology & e-Discovery Blog
- 09.27.16
Very likely that the cyberattacks against Southwest & Delta were directed your passenger data
Internet, Information Technology & e-Discovery Blog
- 09.22.16
500 million Yahoo users compromised by cyberintrusion, but Yahoo doesn't plan to provide credit monitoring!
Internet, Information Technology & e-Discovery Blog
- 09.19.16
\$1 trillion will be spent on Cybersecurity in the next 5 years!
Internet, Information Technology & e-Discovery Blog
- 09.15.16
Yelp "not guilty" for 1 star review which led to a loss of 95% of locksmith's business
Internet, Information Technology & e-Discovery Blog
- 09.13.16
Cyber criminals recognize security weakness at LinkedIn, Facebook, and Twitter
Internet, Information Technology & e-Discovery Blog
- 09.08.16
Shadow IT (aka Stealth IT) - massive cyber (& legal) risk for 50% of all companies!
Internet, Information Technology & e-Discovery Blog
- 09.05.16
Amazon, Google, and LinkedIn support Microsoft's lawsuit against the US challenging the SCA
Internet, Information Technology & e-Discovery Blog
- 09.01.16
"Free Speech" prevails as court dismissed \$1 million defamation lawsuit over 1 star Yelp review!
Internet, Information Technology & e-Discovery Blog
- 08.29.16
Sure there are a kazillion eMails, but eMails are not automatically admitted as evidence!
Internet, Information Technology & e-Discovery Blog
- 08.25.16
Duh! Do you think Facebook is influencing politics?
Internet, Information Technology & e-Discovery Blog
- 08.23.16
Cyber Pain Points: Failure to get buy-in for Incident Response Plan

- (IRP) in the top 10!
Internet, Information Technology & e-Discovery Blog
- 08.18.16
How does FUD (Fear, Uncertainty, and Doubt) help businesses learn about cyber threat intelligence?
Internet, Information Technology & e-Discovery Blog
 - 08.15.16
HIPAA penalty of \$5.5 million seems like a lot, but it's only \$1.375 per patient!
Internet, Information Technology & e-Discovery Blog
 - 08.12.16
Russia fines Google \$6.8 million for Android antitrust violation!
Internet, Information Technology & e-Discovery Blog
 - 08.08.16
Delta Airlines - Cyberattack or power failure - seems a lot like Southwest' alleged router failure?
Internet, Information Technology & e-Discovery Blog
 - 08.04.16
The 10 Commandment of Internet Ethics
Internet, Information Technology & e-Discovery Blog
 - 08.01.16
Cybercriminal data breaches in Healthcare may exceed a whopping \$6.2 billion!
Internet, Information Technology & e-Discovery Blog
 - 07.28.16
Unencrypted PHI (Protected Health Information) on iPhone leads to \$650,000 HIPAA penalty!
Internet, Information Technology & e-Discovery Blog
 - 07.25.16
HIPAA News Update: Ransomware reporting requirements have been issued!
Internet, Information Technology & e-Discovery Blog
 - 07.21.16
Southwest Airlines - Cyberattack or failed disaster recovery?
Internet, Information Technology & e-Discovery Blog
 - 07.18.16
Microsoft contempt ruling overturned for failing to produce emails in Ireland!
Internet, Information Technology & e-Discovery Blog
 - 07.14.16
Cyber risk for HIPAA data increasing as criminals are now focused at healthcare technology!
Internet, Information Technology & e-Discovery Blog
 - 07.11.16
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